

3:10V454

Defendants.

amendments in a general civil action. However, in this case filed by a prisoner, 28 U.S.C. § 1915A directs the Court to conduct an initial review of a civil action by a prisoner against a governmental entity or employee before docketing, or soon as practicable after docketing, to identify cognizable claims or dismiss the complaint or parts of the complaint. Plunk v. Givens, 234 F.3d 1128 (10th Cir. 2000) (the screening process of 1915A is to be applied sua sponte, as early as possible, and does not require that process be served or that the plaintiff be provided with an opportunity to respond). As such, the Court has already considered Plaintiff's claims against the dismissed defendants and concluded that Plaintiff has failed to state a claim for relief against those defendants. Therefore, with respect to the dismissed defendants, Plaintiff may not amend his Complaint. McGore v. Wigglesworth, 114 F.3d 601 (6th Cir. 1997) (Under the PLRA, courts have no discretion in permitting a plaintiff to amend a complaint to avoid a sua sponte dismissal) (overruled on other grounds by Jones v. Bock, 549 U.S. 199 (2007); Christiansen v. Clarke, 147 F.3d 655, 658 (8th Cir. 1998) (PLRA "allow[s] district courts to dismiss all meritless claims before service of process and without giving leave to amend.")). To the extent that Plaintiff also seeks to amend his Complaint against Ms. Inpold, Plaintiff shall so advise this Court within fifteen (15) days of the date of this Order.

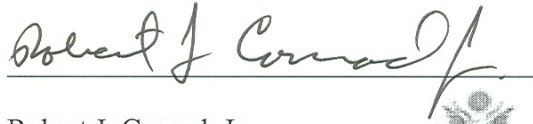
ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

- (1) Plaintiff's amended complaint will not be allowed;
- (2) To the extent that Plaintiff also seeks to amend his Complaint against defendant Inpold, Plaintiff shall so advise this Court within fifteen (15) days of the date of this Order. If Plaintiff fails to advise the Court that he intended the amended complaint as to defendant Inpold, Plaintiff's original complaint shall be the only complaint considered by this Court.

SO ORDERED.

Signed: September 30, 2010

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
Chief United States District Judge

